IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF AUGUSY
TWO THOUSAND AND SEVEN

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION No.18217 OF 2007

Between:

V.Hanumantha Reddy

.... PETITIONER

AND

The Joint Collector (CS),
Ananthapur District,
Ananthapur, and others.

....RESPONDENTS

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO.18217 OF 2007

O R D E R

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The petitioner herein is the authorized dealer of the fair price shop of P.Ganjulapalli Village. His authorization was suspended pending enquiry by the second respondent- Revenue Divisional Officer, Ananthapur, vide order dated 14.08.2007, which is under challenge in this writ petition.

It is primarily contended by the learned counsel for the petitioner that on the very same allegations, proceedings were initiated earlier in the year 2005, which culminated in cancellation of the petitioner's authorization, and therefore, it is not open to initiate fresh proceedings on the very same grounds.

It is pleaded by the petitioner that challenging the earlier order of cancellation, he filed W.P.No.10372 of 2007 in which this Court granted interim orders. It is stated that the impugned proceedings were initiated to circumvent the interim orders granted by this Court in the said writ petition.

The said allegation appears to be factually incorrect, since the impugned order refers to a fresh complaint from the cardholders on the basis of which the Tahsildar, Guntakal, submitted a report dated 09.08.2007 stating that the petitioner has committed certain irregularities in distribution of the essential commodities to the cardholders.

So far as the correctness of the allegations are concerned, since an enquiry is pending before the second respondent, it is neither proper nor

necessary for this Court to express any opinion on merits at this stage. The law is also well settled that pending enquiry, it is always open to the competent authority to suspend the authorization in public interest. The interference by this Court with such discretion exercised by the competent authority is unwarranted.

For the aforesaid reasons, though I am not inclined to grant the relief as prayed for, having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition with a direction to the second respondent to complete the enquiry initiated against the petitioner following due process of law and pass appropriate orders, as expeditiously as possible, preferably within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No costs.

29TH AUGUST, 2007

PGS

THE HON'BLE MS JUSTICE
G.ROHINI

WRIT PETITION NO.18217 OF 2007

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29TH AUGUST, 2007